IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS

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|---|---|---|
| FRANCIS X. MOORE, | ) | |
| | ) | |
| Plaintiff, | ) | |
| | ) | |
| v. | ) | Civil No. 04-10922-DPW |
| | ) | |
| INTERNAL REVENUE SERVICE (UNITED | ) | |
| STATES GOVERNMENT), | ) | |
| | ) | |
| Defendant. | ) | |

## UNITED STATES' STATUS REPORT

This refund action was initiated by Mr. Moore with respect to liabilities assessed against him as a responsible person for the American Legion Post #368 pursuant to 26 U.S.C. § 6672. The United States initiated a counterclaim to reduce the unpaid § 6672 assessments in the amount of approximately $19,000.00 to judgment for the periods ending December 31, 1995. Presently, the American Legion Post #368 is in settlement discussions with the Internal Revenue Service in an attempt to resolve the underlying employment tax liability. Any such administrative settlement with the Post may have an impact on any potential liability of Mr. Moore. The parties moved for a stay await the conclusion of those discussions. That stay was granted by this Court on April 8, 2005, with an order requiring the filing of a status report within 45 days.

The information provided to counsel for the United States by the Internal Revenue Service is that the settlement discussions continue to move forward. The IRS expects to reach a conclusion within the next several weeks, following the receipt and review of some necessary documentation to be provided by the American Legion Post.

Therefore, the United States anticipates that it will be able to inform this Court of the

outcome of those discussions and the impact on this case when the next status report

is due on July 5, 2005.


I hereby certify that a true copy of the
above document was served upon (each party
appearing pro se and) the attorney of record
for each other party by mail on

 5/20/05 - Lydia Bottome Turanchik

/s/ Lydia Bottome Turanchik
LYDIA BOTTOME TURANCHIK
Trial Attorney, Tax Division
U.S. Department of Justice
Post Office Box 55
Ben Franklin Station
Washington, D.C.  20044
Telephone: (202) 307-6560
Lydia.D.Bottome@usdoj.gov